IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

MFA.No. 418 of 2000()

AGAINST THE JUDGMENT AND AWARD DT.6.5.99 IN OP(MV).1657/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TRIVANDRUM.
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APPELLANTS: CLAIMANTS 1 & 2
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1. **KUTTAPPAN NAIR,**
   S/O.PADMANABHA PILLAI,
   'USHASREE', T.C. 17/514,
   CHADIYARA, POOJAPPURA P.O.,
   THIRUVANANTHAPURAM 12.

2. **LEELA KUMARI S.,**
   W/O.KUTTAPPAN NAIR,
   'USHASREE', T.C. 17/544,
   CHADIYARA , POOJAPPURA P.O.,
   THIRUVANANTHAPURAM 12.

BY ADV. SRI.B.JAYASURYA

RESPONDENTS: RESPONDENTS
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1. **BINU PURUSHOTHAMAN,**
   S/O.VAKKOM PURUSHOTHAMAN,
   LILLY & SONS, O' STREET,
   JAWAHAR NAGAR, THIRUVANANTHAPURAM.

2. **ANILKUMAR S/O.KRISHNANKUTTY,**
   VAIKKAVILA PUTHEN VEEDU,
   PAPPANAMCODE, THIRUVANANTHAPURAM DIST.

3. **M/S. NEW INDIA ASSURANCE COMPANY LTD.,**
   DIVISIONAL OFFICE , KOTTARATHIL BUILDING,
   ANNEX, PALAYAM, THIRUVANANTHAPURAM.

BY ADV. SRI.PMM.NAJEEB KHAN
SRI.S.D.ASOKAN

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 31/ 05 / 2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Spoken to on 31.7.2007

In the judgment dated 31.5.2007, the last but one sentence is modified as follows:

> "Therefore, we direct the third respondent insurance company to deposit the additional compensation of Rs.78,000/- with 7% interest from the date of application till deposit within three months from the date of receipt of a copy of this judgment."

(J.B.Koshy, Judge)

(K.P.Balachandran, Judge)